



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

8ENF-AT

APR 25 2014

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**& ELECTRONIC MAIL**

Sam A. Armenta  
Division Director  
Colorado Interstate Gas Company, L.L.C.  
P.O. Box 1087  
Colorado Springs, CO 80944

Re: Section 114(a) Information Request for the Rawlins NGL Plant & Compressor Station,  
Carbon County, Wyoming

Dear Mr. Armenta:

The United States Environmental Protection Agency (EPA) hereby requires the Colorado Interstate Gas Company, L.L.C. (CIG) to provide certain information to determine the Clean Air Act (CAA) compliance status of the Rawlins NGL Plant & Compressor Station, Carbon County, Wyoming.

Pursuant to section 114(a) of the CAA, 42 U.S.C. § 7414(a), the Administrator of the EPA is authorized to require any person who owns or operates an emissions source to establish and maintain records, make reports, sample emissions (in accordance with the procedures and methods that the Administrator shall prescribe) and provide such other information as she may reasonably require for the purposes of determining whether such person is in violation of any provision of the CAA. In order for the EPA to determine whether a violation of the CAA has occurred, you are hereby required, pursuant to section 114 of the CAA, to provide responses to the following request for information regarding the facilities listed above. Accordingly, within thirty (30) calendar days from receipt of this request, you must respond to this request.

You are required to attach a properly executed Statement of Certification (Enclosure 3) with your response to this request. The statement must be signed and dated. This statement certifies that the response submitted to the EPA is true, correct, accurate, and complete; and that the response contains all documents and information responsive to this request that are known to you, following a complete and thorough review of all information and sources available to you. You are under an obligation to preserve all documents requested in this letter until you receive further instructions from the EPA.

Failure to provide the required information may result in the initiation of a civil action pursuant to section 113(b) of the Act, 42 U.S.C. § 7413(b). In addition, knowingly providing false information in response to this information request may be actionable under section 113(c) of the Act, 42 U.S.C. § 7413(c), and 18 U.S.C. §§ 1001 and 1341. The information you provide may be used by the EPA in administrative, civil, and criminal proceedings.

Under section 114(c) of the Act, 42 U.S.C. § 7414(c), and pursuant to regulations at 40 C.F.R. Part 2, including 40 C.F.R. § 2.301, you are entitled to claim as confidential any information you provide to the EPA which involves trade secrets and is regarded as confidential business information by you. For such information, you may request that the EPA treat such information as confidential. Any such claim for confidentiality must conform to the requirements of 40 C.F.R. § 2.203(b). Note that emissions information is not considered confidential under section 114(c). For detailed instructions, please see Enclosure 4 to this letter. Information you supply will be treated as confidential business information to the degree determined to be appropriate according to the regulations. If you fail to furnish a business confidentiality claim with your response to this information request, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

**YOU MUST SUBMIT ALL RESPONSIVE INFORMATION:** *Whether or not you make a claim of confidentiality.*

Please submit your response to this request to:

U.S. Environmental Protection Agency, Region 8  
Technical Enforcement Program  
Office of Enforcement, Compliance and Environmental Justice  
1595 Wynkoop Street  
Denver, Colorado 80202-1129  
Attention: Laurie Ostrand

If you have any questions regarding this information request, please contact Laurie Ostrand, at 303-312-6437, or your counsel may contact David Rochlin, at 303-312-6892.

Sincerely,



Eddie A. Sierra  
Acting Assistant Regional Administrator  
Office of Enforcement, Compliance and  
Environmental Justice

Enclosures: 1) Instructions and Definitions  
2) Information Requested  
3) Statement of Certification  
4) Confidential Business Information

cc: Steven A. Dietrich, Wyoming Department of Environmental Quality



## **ENCLOSURE 1:**

### **A. INSTRUCTIONS**

1. Provide a separate narrative response to each question and subpart or a question set forth in the Information Request.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
3. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information are not available or in your possession and identify any source that either possesses or is likely to possess such documents or information.

### **B. DEFINITIONS**

All terms used in this information request will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401, 40 C.F.R. Part 52 (which incorporates the Federally-approved State Implementation Plan), other CAA implementing regulations, or otherwise defined herein.

1. The term "Act" or "CAA" shall mean the Clean Air Act, 42 U.S.C. §§ 7401 et seq.
2. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents should also include all attachments to or enclosures for the document provided.
3. "EPA" shall mean the United States Environmental Protection Agency.



## **ENCLOSURE 2:**

### **INFORMATION REQUESTED:**

Using the instructions and definitions set forth in Enclosure 1, provide the following information within thirty (30) calendar days from the date of this request. If any of the information has been previously submitted to the EPA in its entirety, CIG has the option of resubmitting the information or identifying the previous submission and certifying that the previously-submitted information is true, accurate and complete in accordance with Enclosure 3.

1. The July 26, 2013 submittal to Steven A. Dietrich, Administrator, WY DEQ, titled "Colorado Interstate Gas Company, L.L.C. – Rawlins NGL Plant and Compressor Station, Compliance Status Report – 40 CFR 63 Subpart HH, LDAR and Closed Vent System Monitoring, for the period January 1, 2013 through June 30, 2013, indicates that there are 351 valves (excluding valves designated as NDE) in VOC or wet gas service.  
  
The prior two semiannual reports (for the periods January 2, 2012 to June 30, 2012 and July 1, 2012 to December 30, 2012) indicate that 294 valves were required to be monitored each quarter. Please provide an explanation for the 57<sup>1</sup> valves added in the January 1, 2013 to June 30, 2013 timeframe.
2. The January 29, 2014 submittal to Steven A. Dietrich, Administrator, WY DEQ, titled "Colorado Interstate Gas Company, L.L.C. – Rawlins NGL Plant and Compressor Station, Compliance Status Report – 40 CFR 63 Subpart HH, LDAR and Closed Vent System Monitoring, for the period July 1, 2013 through December 31, 2013, indicates that there are (i) 944 valves (excluding valves designated as NDE) in HAP service: 170 in the Glycol System, 544 in the NGL Extraction, and 230 in the Storage and Loading; and (ii) 17 pumps in HAP service (excluding pumps designated for NDE and/or equipped with CVS): 2 in Glycol System, 10 in NGL extraction; and 5 in Storage and Loading.
  - a. The prior semiannual report, identified in #1 above, indicates that 351 valves were in VOC or wet gas service (excluding valves designated as NDE). Please provide an explanation for the 593<sup>2</sup> valves added in the July 1, 2013 to December 31, 2013 timeframe.
  - b. The prior semiannual report, mentioned in # 1 above, indicates that 6 pumps were in VOC or wet gas service (excluding pumps designated for NDE and/or equipped with CVS). Please provide an explanation for the 11<sup>3</sup> pumps added in the July 1, 2013 through December 30, 2013 timeframe.
3. Please provide copies of any and all documents describing whether or not the leak detection and repair (LDAR) program at the Rawlins NGL Plant and Compressor Station was or is meeting the LDAR requirements in 40 C.F.R. part 63 subpart HH.

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<sup>1</sup> 351 valves – 294 valves = 57 valves.

<sup>2</sup> 944 valves – 351 valves = 593 valves.

<sup>3</sup> 17 pumps – 6 pumps = 11 pumps.





**ENCLOSURE 3**

**STATEMENT OF CERTIFICATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)



## **ENCLOSURE 4**

### **Confidential Business Information (CBI) Assertion and Substantiation Requirements**

You may assert a business confidentiality claim covering all or part of the information you provide in response to this information request for any business information entitled to confidential treatment under section 114(c) of the Clean Air Act (the Act), 42 U.S.C. § 7414, and 40 C.F.R. Part 2, subpart B. Under section 114(c) of the Act, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means "the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information." See 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in section 114(c) of the Act and 40 C.F.R. Part 2, subpart B. If you fail to furnish a business confidentiality claim with your response to this information request, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential" at the time you submit your response to this information request. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e); (2) that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; (3) the information is not and has not been reasonably obtainable by legitimate means without your consent; and (4) the disclosure of the information is likely to cause substantial harm to your business's competitive position. See 40 C.F.R. § 2.208 (a)-(d). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. See 42 U.S.C. § 7414(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information and documents forwarded in response to this request for information, in accordance with 40 C.F.R. § 2.204(e)(4), the EPA is requesting that you answer the following questions with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment?  
Specify by page, paragraph, and sentence when identifying the information subject to your claim.

2. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you've specified.
3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

Submit your answers to the above questions concurrently with your response to this information request if you have claimed any information as business confidential. See 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

David Rochlin  
U.S. EPA Region 8  
1595 Wynkoop Street (ENF-L)  
Denver, CO 80202-1129  
(303) 312-6892

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be regarded by the EPA as entitled to confidential treatment if, when it is received by the EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). As required by 40 C.F.R. § 2.204(e)(6), you may assert a business confidentiality claim covering all or part of your response to these questions, as provided in 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by the EPA

only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. The EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.

